

UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT

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TODD SEMON, on behalf of himself, and all :
others similarly situated, :
 :
Plaintiff, Civil Action :
 : No. 5:10-cv-00143-CR
v. :
 :
ROCK OF AGES CORPORATION, :
SWENSON GRANITE COMPANY, LLC, :
KURT M. SWENSON, JAMES L. FOX, :
RICHARD C. KIMBALL, DONALD :
LABONTE, LAURA A. PLUDE, PAMELA G. :
SHEIFFER, CHARLES M. WAITE, and :
FREDERICK E. WEBSTER, JR., :
 :
Defendants. :
 :
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NOTICE AND REQUEST FOR STATUS CONFERENCE

In connection with defendants' motions to dismiss (Docket Nos. 9, 10, 11, 12) and plaintiff's motion to remand (Docket No. 16) currently pending before this Court, defendants James L. Fox, Pamela G. Sheiffer and Frederick E. Webster, Jr. (the "Committee Defendants") respectfully bring to the Court's attention the press release of earlier today, attached hereto as Exhibit A, which announces that Rock of Ages Corporation ("Rock of Ages") has entered into a definitive merger agreement with Swenson Granite Company, LLC ("Swenson Granite"), pursuant to which and subject to a future shareholder vote, shareholders of Rock of Ages will receive \$5.25 per share in cash, and Swenson Granite will acquire 100% ownership of Rock of Ages.

In connection with this announcement, the Committee Defendants respectfully request a status conference at the Court's earliest convenience.

Dated: October 18, 2010
Burlington, Vermont

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document has been filed electronically and is available for viewing and downloading from the ECF system. I further certify that the following counsel of record will be served by the ECF system:

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